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Summary record of the 2178th meeting
Held at Headquarters, New York, on Tuesday, 23 March 2004, at 10 a.m.

Chairperson: Mr. Amor

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04-28095 (E)

The meeting was called to order at 10.05 a.m.

Consideration of reports submitted by States parties under article 40 of the Covenant (*continued*)

Initial report of Uganda (*continued*) (CCPR/C/UGA/2003/1)

1. *At the invitation of the Chairperson, the delegation of Uganda took places at the Committee table.*

List of issues (*continued*) (CCPR/C/80/L/UGA)

2. **The Chairperson** invited the delegation to continue addressing the oral questions posed by the members of the Committee.

3. **Mr. Kakooza** (Uganda), responding to a question about the number of female judges in Uganda's superior courts, said that one of the six Supreme Court judges, three of the six Court of Appeal judges and 8 of the 35 High Court judges were women. In addition, the presiding judge of the Court of Appeal, who also held the title of Deputy Chief Justice of Uganda, was a woman.

4. The Constitution set out the procedure for appointing members of the judiciary. In accordance with the relevant provisions, the Judicial Service Commission made recommendations to the President, who then, subject to Parliamentary approval, appointed the selected candidates. Article 144 of the Constitution laid down the maximum length of tenure for Ugandan judges and also provided for their removal from office on grounds of incompetence, inability to perform their functions or misconduct.

5. Turning to the issue of early and forced marriages (question 28), he said that, pursuant to the Constitution, only men and women over the age of 18 years were permitted to marry and found a family and the consent of both parties was required. Those provisions were also included in the Domestic Relations Bill, which was currently before Parliament. Nevertheless, he acknowledged that forced and early marriages still took place, particularly under customary and Islamic law.

6. **Ms. Tindifa Mirembe** (Uganda) said that the Chainlinked Initiative was designed to take a sector-wide approach to the reform of the legal system with a view to increasing the efficiency of the processing of criminal cases by means of coordination and cooperation between all interested parties, inter alia, police and prison officers and members of the judiciary. Part of the initiative involved streamlining the scheduling of court cases in order to reduce the length of time suspects spent on remand. and the results of a pilot scheme in one district had wn that remand times for serious offenders had been reduced from five to around two years. In addition, at each of its sessions, the High Court was now dealing with over 70 per cent of its caseload. Following the implementation of the Chainlinked Initiative, a number of best practices had been adopted, inter alia, limiting the scope for adjournment of criminal cases and ensuring that all investigations were completed before criminal trials were opened.

7. **Mr. Beekunda** (Uganda), in response to a question about domestic violence, said that violence against family members could take the form of economic, physical, social and psychological abuse and that poverty, cohabitation and the media could exacerbate the problem in a number of ways. For instance, violent disputes could arise over the distribution of economic assets, including inheritance, among family members. Men, who often owned the lion's share of any such assets, could become the perpetrators of violent acts against their wives and, particularly in rural areas, victims were reluctant to denounce their husbands for fear of divorce or abandonment. However, the Government was engaging in awareness-raising activities designed to encourage aggrieved parties to speak out against their aggressors, which had had some success.

8. **Mr. Sekabembe Nsalasatta** (Uganda), responding to an inquiry about the emphasis on the prosecution of individuals accused of capital offences, said that, since 1996, there had been an increase in the number of crimes of all types reported to the authorities. That increase could be attributable to greater efficiency on the part of the police force or increased public confidence in the law enforcement authorities. In any case, the court machinery in Uganda had been unable to cope with the increased workload, hence the growing numbers of prisoners on remand. In 1999, a donor-funded project had been launched in an attempt to clear the backlog of capital cases.

9. The death penalty was only imposed in cases of murder, aggravated robbery, treason and acts of terrorism which had resulted in deaths. The

Constitutional Review Commission was currently debating the abolition of the death penalty. However, in order to secure public support for any proposed abolition, the Government would have to carry out awareness-raising activities.

10. **Mr. Ssonko** (Uganda), with reference to a question about field courts martial, wished to point out the existence of a number of other army courts where the accused had the right of appeal, including the Court Martial Appeal Court, the highest appellate court within the Ugandan People's Defence Forces (UPDF). Field courts martial were normally used during operations, in situations where it was not practical to bring the suspect before an ordinary court. The cases heard by field courts martial were those in which the evidence spoke for itself and the accused had no defence. In such cases, there was no right of appeal. Lastly, he informed the Committee that a draft law relating to UPDF was currently before the Ugandan Parliament. Any elements of that draft law found to conflict with the Constitution or other legal instruments would be altered.

11. **Mr. Butime** (Uganda), responding to a question about counter-terrorism measures, said that Uganda had passed the Anti-Terrorism Act in response to the events of 11 September 2001. According to section seven of the Act, contained in the annex to the report, those responsible for prosecution must prove that suspects were members or associates of organized terrorist groups.

12. As far as the activities of UPDF were concerned, he said that soldiers serving in Eastern Congo who had committed offences had been brought back to Uganda to stand trial. He confirmed that UPDF forces had not executed any members of the Lord's Resistance Army (LRA). The Ugandan Government had called for Joseph Kony, the leader of LRA, to be indicted by the International Criminal Court rather than initiating domestic proceedings against him because his operations were conducted on an international scale.

13. **The Chairperson** invited the delegation of Uganda to respond to questions 14 to 24 on the list of issues.

Prohibition of torture; obligation to treat detainees humanely (arts. 7 and 10)

14. **Mr. Kamya** (Uganda), referring to question 14, said that article 218 of the Penal Code criminalized the excessive use of force and section 45 of the Police Code prohibited the excessive use of force of any kind. The army as an institution did not condone torture, and individual soldiers who committed acts of torture were held accountable. The Human Rights Commission was responsible for dealing with alleged human rights violations, particularly cases of torture, and a list of the cases it had handled during the reporting period could be found on pages 24 to 26 of the written replies. When Government officials were found guilty of human rights violations, the Attorney General, as the representative of the Government, was responsible for compensating the victims.

15. With regard to human rights training for army and police officials, he said that the police force had developed a human rights training manual containing a whole chapter on the appropriate use of force and firearms. Similar manuals were being designed for the army and human rights issues had been introduced into the curriculum of the Uganda Prisons Training School. The Human Rights Commission, in collaboration with the UPDF Human Rights Desk, had carried out extensive training of officers at all levels, including in the field.

16. **Mr. Sekabembe Nsalasatta** (Uganda), in response to questions 15 and 16, said that violent offences included aggravated robbery, murder and rape. Individuals found guilty of those offences were not subject to solitary confinement while in prison, but were held in association wards in maximum security facilities. Nevertheless, the Prisons Act did provide for solitary confinement as a temporary measure for offenders who had become or had threatened to become violent and insane prisoners who were awaiting transfer to a mental hospital and for disciplinary purposes. The maximum duration of solitary confinement was 14 days.

17. The draft Prisons Bill 2001 had been approved by the Cabinet and was currently awaiting consideration by Parliament. Although it contained a provision outlawing corporal punishment, that practice had already been declared illegal and inhuman by the Supreme Court.

18. **Mr. Kamya** (Uganda), referring to question 17 on the list of issues, said that since ratifying the Convention on the Rights of the Child, in 1990, Uganda had taken several decisive steps to improve the administration of juvenile justice. Firstly, it had

introduced the Children's Act in an effort to reform and strengthen laws on children. The Act notably addressed issues such as the care and protection of children and the support provided by local authorities, and established a Family and Children Court. It also stipulated that children should be detained only as a last resort, and encouraged the authorities to divert cases involving children from the main justice system. A Secretary for Children's Affairs had been appointed at all levels of local government, and all Grade 2 Magistrates' Courts had been designated as family and children courts. A juvenile justice system was thus in place, and juvenile-detention facilities were being rehabilitated. Under the Children's Act, no child could be detained with an adult person or remanded in an adult prison. Steps had also been taken to strengthen community policing, establish police child-reception centres and rehabilitate juvenile remand centres. However, efforts to establish child-reception centres continued to be thwarted by poor infrastructure.

19. **Mr. Nsalasatta** (Uganda), referring to question 18, said that prison conditions were characterized by overcrowding, budgetary constraints and low staffing levels. However, the Government had taken a number of measures to address those problems. It had introduced community service in an effort to ease prison congestion, and earmarked funds for initiatives aimed at increasing food production. The budget for the prison medical service had been increased by 20 per cent and water-borne toilets were being constructed as part of efforts to improve prison sanitation. Eight new female wards had been built with the help of donor partners, and the government was committed to the recruitment of new staff. In an effort to reduce the backlog of cases and speed up the system, the Government planned to increase the number of judges and magistrates, open new courts and improve criminal investigation procedures, among other measures. Finally, the police were establishing model police stations, designed to implement a rights-based approach to arrest and detention.

20. **Mr. Butime** (Uganda), referring to the second part of question 18, noted that safe houses had been established during the period 1996-1997 in response to acts of terrorism, but had been closed after terrorism had been contained. There were no longer any safe houses in Uganda, and terrorist suspects were taken to official police stations.

Prohibition of slavery, servitude and forced or compulsory labour (art. 8) and protection of children (art. 24)

21. **Mr. Kacwa** (Uganda), referring to question 19, on child employment, noted that Uganda had ratified two key Conventions of the International Labour Organization (ILO): the Worst Forms of Child Labour Convention, 1999 (No. 182), and the Minimum Age Convention, 1973 (No. 138). The Government had also been implementing a national programme on the elimination of child labour in collaboration with the International Programme on the Elimination of Child Labour (ILO-IPEC), and had taken steps to make the population aware of the negative effects of child labour. Commercial sexual exploitation of children had been identified as one of the worst forms of child labour.

22. **Mr. Ssonko** (Uganda), referring to question 20, noted that most abducted children were rescued during encounters between the Uganda People's Defence Forces (UPDF) and the Lord's Resistance Army (LRA). They were then taken to a Child Protection Unit (CPU), where they were given medical attention and clothes, and transferred to a rehabilitation centre where they received trauma counselling and psychosocial support. Concerning the situation in the armed forces, army policy did not permit the recruitment of children. Applicants must provide an introductory letter from their local council, as well as references. However, it was often difficult to verify an applicant's age. The Government had established special elementary schools to help the former child soldiers readjust to the education system. There were plans to set up similar schools in northern Uganda, but lack of funds remained an obstacle. Certain non-governmental organizations had, however, established vocational skills centres for such children.

Right to liberty and security of person (art. 9)

23. **Mr. Kamya** (Uganda), referring to question 21, noted that detainees must be allowed reasonable access to next-of-kin, lawyer and physician. With respect to question 22, he said that under Ugandan law, officers and private individuals could arrest an individual, without a warrant, if they had reasonable grounds to suspect that he had committed, was in the act of committing or might commit an offence. However, the practice of arresting suspects before conducting preliminary investigations was discouraged, and

officers engaging in such practices were liable to disciplinary action.

Freedom of movement and prohibition of arbitrary expulsion of aliens (arts. 12 and 13)

24. **Ms. Kisembo** (Uganda) noted that Uganda's National Policy for Internally Displaced Persons (IDPs) was still in draft form, undergoing a budgetary evaluation, but would hopefully become part of official Government policy by April 2004. A fundamental aspect of the policy, which would conform to United Nations Guiding Principles on Internal Displacement, was the recognition that IDPs should enjoy, in full equality, the same rights and freedoms as all other persons in Uganda. Meanwhile, human rights committees had been set up at the district and sub-county levels to handle cases of alleged human rights violations, and efforts had been made to raise people's awareness of the issue. Due to lack of funding and capacity-building, the country's disaster-management system was more responsive than preventive. Lastly, the Ugandan office of the United Nations High Commissioner for Refugees (UNHCR) had refused to assist IDPs in Uganda, and the problem therefore required a concerted effort.

Right to a fair trial (art. 14)

25. **Ms. Zaale** (Uganda), referring to question 24, said that Uganda's prisons did indeed suffer from overcrowding, due in particular to the high number of detainees on remand. The prison lacked resources such as transportation and communications equipment, and criminal investigations officers lacked the necessary training. The Government had responded by increasing the number of magistrates and attorneys and by implementing crime-prevention strategies. Since the passage of defilement laws in 1990, there had been a steady increase in the number of detainees and convicted persons. A Local Council Courts' Bill had been introduced with a view to improving the efficiency of dispute resolution at the local level, and the Ministry of Local Government had developed a comprehensive training manual for Local Council Courts, in an effort to improve the adjudication of cases. Moreover, the judiciary had issued case-management guidelines that included time frames for case completion and limitations on adjournments. It had also issued new court procedures for case management, which discouraged multiple and frequent adjournments in criminal matters and provided that sentencing must take place within 60 days of conviction.

26. **Sir Nigel Rodley** said that the overall responses had been less forthcoming than the State party's report. He wondered whether that was because much of the information in the report had come from reports of the Uganda Human Rights Commission for 1997, 1998 and 1999. Those were the latest reports available, and he regretted the lack of access to more recent information.

27. According to paragraph 147 of the State party's report there had been many cases of torture in police cells and military detention centres as recently as 1999. Yet the response to question 14 on the list of issues stated that torture was not institutionalized in the Uganda Police Force or the army, and that any incidents were investigated and harshly punished. Only one case of death under torture had been reported. However, a letter dated 5 March 2004 from Human Rights Watch addressed to the Chieftaincy of Military Intelligence (CMI) of the Uganda People's Defence Force (UPDF) cited many cases of detention and serious torture or ill-treatment by the UPDF, in which, in addition, no respect for constitutional arrest and detention rules had been shown. He considered such information to be of particular interest since, according to the State party, the army had no powers of arrest and detention. He wished to know whether, since the submission of the report, military barracks had been gazetted as police detention centres, and whether the illegal practice of detention in "safe houses" — eliminated in 2000 — had reemerged. He requested further information on allegations received by the Uganda Human Rights Commission about detention by the military; interrogation by the CMI; in military premises; in "safe houses"; and without the constitutional limitations.

28. He was pleased to note that there was a mechanism in place whereby victims of illegal detention and torture might file complaints with and be awarded compensation by the Uganda Human Rights Commission. In many cases, however, the awards had not been paid. He wished to know whether monetary compensation was the only disposition of the Commission, or if there had been any prosecutions in respect of the illegal detention and torture for which the awards had been ordered.

29. Turning to the topic of prisons, he requested information on the maximum period of solitary confinement for disciplinary purposes, and whether the period was renewable. He wished to know on what grounds a person could be so confined, who took the relevant decision and whether the decision could be appealed.

30. He said he appreciated the delegation's openness on the subject of prison conditions. Given the magnitude of the problem, the Government should make it a priority to remedy the situation. There was a wide discrepancy between prison capacity and population, and the Uganda Human Rights Commission had described the overcrowding "as among the worst anywhere". With respect to the statistics provided in paragraph 307 of the report, he requested further information on the number of detainees in any one cell at any time when awaiting trial.

31. He requested more information on the alleged forced entry into the Gulu detention centre in September 2002 by the UPDF, and the ensuing killing of one person and the abduction and serious ill-treatment of others, and on any measures taken against the perpetrators.

32. **Mr. Khalil** said that 78 per cent of the population of Uganda consisted of children, and 50 per cent of the population consisted of minors under 18 years of age. That left many children vulnerable to social and economic exploitation in a society where the laws and regulations did far too little to protect them. The Government had taken steps to implement legislation governing the minimum age for the employment of children, and he commended the campaign begun under that legislation to educate the population and raise awareness of the negative effects of child labour. He wondered, however, whether that was enough to combat the problem. He requested information on other legislative measures taken, such as penalties for employers. With regard to economic and sexual exploitation of children, he would be interested to know the tangible results of the pilot projects mentioned in the written replies.

33. The issue of child soldiers was disturbing. Although 54 child soldiers had been handed over to UNICEF in 2000, the numbers of children abducted by the Lord's Resistance Army (LRA) were alarming. A 1998 report by UNICEF, recently cited by the International Labour Organization (ILO), had stated that up to 1,400 children had been abducted in the north of the country. He appreciated the difficulty of the situation, but wondered whether the Government had been making sufficient efforts to narrow the scope of the abductions.

34. **Mr. Castillero Hoyos** said that he was interested to know more about freedom of movement. Referring to paragraph 337 of the State party's report, he asked for a definition of "security zones" in the context of restrictions to places of residence, and how such restrictions could be considered acceptable under article 2 of the Covenant. With reference to the information that only nationals enjoyed the right to freedom of movement under the constitution, he asked whether the Government intended to amend the constitution to bring it into line with article 2 of the Covenant. He also requested clarification on the denial of passports "in the public interest". Paragraph 364 of the report affirmed that residence permits and entry visas could be cancelled at any time, without reason or right of appeal. Paragraph 374 cited a similar practice with regard to refugees. He asked how that practice, in either case, could be justified under article 13.

35. **Mr. Solari Yrigoyen** said that the section of the report devoted to article 18 made no mention of joining the military. He would be interested to know whether military service was compulsory or whether service in the armed forces of the State was a profession, without a draft. If military service was compulsory, he wished to know whether conscientious objection was permitted and, if so, how it was exercised.

36. **Mr. Shearer** requested more information on training programmes for judges, magistrates and the legal profession. He wondered whether the Uganda Human Rights Commission had planned any such programmes relating specifically to the implementation of the Covenant. He would be interested to know whether the reason why there were so few communications under the Optional Protocol was because its terms were not widely known.

37. He requested clarification on the lack of a right to appeal and on the death penalty in courts martial, and on the functioning of such courts. The delegation had stated that field courts martial were different to others, inasmuch as there was no right of appeal in a "clear case". He requested more information, in writing if necessary, regarding any limitations to the right to

appeal, and whether an armed forces act or a military justice act existed that provided for such limitations.

38. **Mr. Kälin**, referring to practices cited in paragraph 280 of the report, including the caning of prisoners as a disciplinary measure, asked whether there was any pending legislation relating to the abolition of corporal punishment and whether it would cover prison disciplinary measures, and requested clarification of the term "penal diet".

39. He was pleased to hear that United Nations principles were used to guide policy relating to internally displaced persons, but was concerned by the statement in paragraph 342 of the report to the effect that 95 per cent of such persons were living in protected camps. He requested clarification on the camps and how they were protected. Recent incidents led to the conclusion that the UPDF presence did not offer sufficient protection in the face of the LRA, which had a policy of attacking the camps. He would be interested to know why past measures to protect people in the camps had failed and what future measures the Government contemplated, in compliance with article 6, to put a stop to such attacks.

40. **Mr. Bhagwati** said that, like Mr. Khalil, he would like more information on child labour, in particular what penalties, if any, existed to prevent the employment of underage children. He asked whether any distinction was made between hazardous and non-hazardous employment, and what steps had been taken to implement the ILO Worst Forms of Child Labour Convention, 1999 (No. 182). He also wondered whether primary education was compulsory, which might help to reduce child labour.

41. He would be interested to know whether judges were trained in law, human rights and Covenant rights, and whether there was a school devoted to training judges and prosecutors. He noted that paragraph 292 of the report mentioned a long delay before cases came to court. He requested information on the average length of such delays, and asked whether any measures were envisaged to deal with the backlog such as the establishment of village courts or the holding of summary trials for smaller offences.

42. Further information on the legal aid system described in paragraph 391 would be welcome, including statistics on the number of cases and whether aid was provided only in cases of life imprisonment. He would be interested to know how the system worked, including whether lawyers were provided and, if so, how they were paid.

43. He expressed concern at the information that a confession could be recorded before an Assistant Inspector of the police, questioning the wisdom of allowing so much authority, without safeguards, to junior officers. If there were safeguards, he would be interested to know what they were. He wondered how much time could elapse before a suspect was taken before a judge, and about the level of adherence to the guidelines.

44. **Mr. Depasquale** said that although the Uganda Police Statute was modelled on the British system, it did not provide for an independent Police Board to review complaints of misconduct, and he wondered whether such an institution was envisaged. It appeared that the use of torture by police at the interrogation stage to extort a signed confession of guilt was not rare. In the model police stations to be established, it might be useful to have audio-visual recording in interrogation rooms.

45. **The Chairperson** invited the delegation to address questions 25 to 30 on the list of issues (CCPR/C/80/L/UGA).

Right to privacy (art. 17)

46. **Mr. Butime** (Uganda), in response to question 25, said that the Constitution of Uganda prohibited unlawful searches. However, a search without a warrant was allowed under the Police Statute if a crime was in progress or was evidently about to be committed. Such a search was lawful and was not incompatible with the Constitution or with article 17 of the Covenant.

Freedom of opinion and expression (art. 19) and freedom of assembly and association (arts. 21 and 22)

47. **Ms. Kisembo** (Uganda), in response to question 26 on harassment of independent journalists and suspension of publication of newspapers, said that the Supreme Court of Uganda in Appeal No. 2 of 2002 involving *The Monitor* newspaper had held that freedom of expression was a basic right and that section 50 of the Penal Code Act making publication of false news a crime was unconstitutional. That provision had been amended accordingly. There was no provision for suspension of publication. Pornographic material was prohibited. If the Government found

material offensive, it could pursue the individual journalist for professional misconduct. With regard to access to government information, article 41 of the Constitution and section 4 of the Press and Media Act, ensured journalists' access to information subject to laws regarding secrecy and security. The Government was drafting an access to information bill that was expected to become law in April 2004.

48. **Mr. Kamya** (Uganda), in response to question 27, said that article 29 (d) of the Constitution guaranteed freedom of assembly. However, that freedom was not unlimited. Under the Police Statute, the police were allowed to prevent an assembly if they reasonably suspected that it might turn violent or cause a breach of the peace, and if an assembly did turn violent, the police could order the participants to disperse. With regard to political parties, the Constitution put restrictions on their activities as long as the Movement political system was in force. Under the Political Parties and Organizations Act political parties were required to register. The activities of registered parties were not interrupted, but the police were required to break up the meetings of unregistered parties.

Right to family (art. 23)

49. **Mr. Butime** (Uganda) noted that question 28 on polygamy and early marriages had been answered in the earlier discussion.

Rights of minorities (art. 27)

50. **Mr. Kacwa** (Uganda), in response to question 29, said that the rights of ethnic and religious minorities were grounded in articles 32 and 36 of the Constitution. With the help of the Government of Sweden, Uganda was establishing an Equal Opportunities Commission to protect the rights of minorities. The Commission was to be on the Board of the National Planning Authority. With the support of the Netherlands, a national policy on equal opportunities was being developed, which would apply a rights-based approach to planning and programming.

Dissemination of the Covenant

51. **Ms. Awino** (Uganda), in response to question 30 on the training of the judiciary, law enforcement officers and other public officials, said that one of the responsibilities of the Uganda Human Rights Commission was to raise awareness about human rights through training and workshops conducted by its Department of Education Research and Training. So far it had carried out four training workshops for a total of 195 officers of the Uganda People's Defence Forces and had conducted four human rights workshops for officers of the Uganda police force. It had also helped to prepare a human rights training manual for the police. There were plans to train members of the judiciary, but the work with law enforcement officers had taken precedence.

52. Owing to a shortage of resources, it had not been possible for the Government to publish human rights reports other than by posting them on the Internet. The reports were, however, subjected to public scrutiny before submission.

53. **The Chairperson** invited the Committee to put further questions to the delegation concerning their replies to the list of issues.

54. **Mr. Castillero Hoyos,** noting that according to paragraph 417 of the report the prosecutor could authorize a search without a search warrant of the premises or home of a person accused under the Prevention of Corruption Act, said that he would like to have more information concerning the procedure and the frequency with which it had been used and an explanation as to how it was compatible with article 17 of the Covenant. He would also like the State party to elaborate on the cases in which, according to paragraph 420, the right to privacy had been interfered with in the interest of the State. He would appreciate more information on the prohibition of 22 August 2003 promulgated by the Law Council against the participation of attorneys in political activities. He would also like to know whether the anti-terrorism act would limit freedom of expression and the press. Lastly, he would like the State party to explain how the restriction on the activities of political parties under the Movement system could be considered to be compatible with article 22 of the Covenant.

55. **Mr. Khalil** said that the delegation was to be commended for its candid written replies to question 28 on polygamy and forced and early marriages. The Committee understood that it was difficult to eradicate custom merely by passing laws. However, early and forced marriages in particular were a serious violation of the rights of girls and women. In the case of minors, even their agreement to marry could not be considered

a valid consent. He hoped that the education and advocacy programmes undertaken would improve the situation. The delegation had said that forced marriages were not easily detectable unless reported to law enforcement agencies. He wondered whether the State party might not institute more systematic mechanisms for discovering the culprits and prosecuting them.

56. Chapter 215 of the Divorce Act provided different grounds for divorce for men and women. The proposed domestic relations bill was expected to change the law about polygamy, and he wondered whether it would also amend the discriminatory provisions on grounds for divorce.

57. **Mr. Solari Yrigoyen** remarked that the State party had said that the right of freedom of association under article 22 of the Covenant was the most controversial in Uganda. Worse yet, that right seemed to be severely restricted in Uganda and had been nearly abolished in the political arena under the Movement system. The provisions of the Constitution in that regard were contradictory. It was known that problems had arisen from the implementation of the Political Parties and Organizations Act. The Constitutional Court had found three sections of the Act unconstitutional. When the Democratic Party had held a meeting to celebrate the decision, police had broken up the meeting. He would like to know what political parties existed, how many were registered or had been denied registration and what real rights they had. History had shown that political parties might officially exist but not be allowed to function in any real sense or to put forward candidates. Moreover, there appeared to be restrictions on the movements of some opposition candidates, which was a violation of the Covenant and constituted political persecution. He would like to know whether it was allowable to criticize the President or the platform of the Movement, the presidential party.

58. **Mr. Glélé Ahanhanzo** said that he would be interested to know the precise term in the other languages of Uganda for what was called the bride price in paragraph 489 of the report. He assumed that it was similar to the dowry in neighbouring cultures. He would like to know to what extent the practice was in accord with Ugandan national law. Moreover, paragraph 498 of the report said that Christian marriage could be dissolved by a decree of divorce pronounced by the Chief Magistrate's Court or the High Court, and he wondered whether that was in accordance with canonical law. He would appreciate having a few examples of those cases and receiving figures on the number of the different types of divorce pronounced since 1997.

59. **Mr. Ando** said that he would like further clarification on what police guidelines were for peaceful assembly. In particular, he would like to know what criteria were applied in deciding whether a gathering was likely to be violent and also what criteria the minister applied in designating a gazetted area in which an assembly required a permit. It would be helpful to have a few examples in which a request for a gathering had been made but refused.

60. More information would be welcome on the three main areas indicated in paragraph 460 of the report in which freedom of association had been restricted, namely, restrictions on the activities of political parties under the Movement system, restrictions on the movements of political opponents and the introduction of the suppression of terrorism bill. He would also find it helpful to learn of instances in which political parties had attempted to register and had been refused.

The meeting rose at 1 p.m.